

Introduced by Senator Bowen

February 10, 2005

An act to add Section 303.5 to the Public Utilities Code, relating to the Public Utilities Commission.

LEGISLATIVE COUNSEL'S DIGEST

SB 204, as introduced, Bowen. Public Utilities Commission: commission membership.

Existing law prohibits members of the Public Utilities Commission from holding an official relationship with, or having a financial interest in, any person or corporation subject to commission regulation.

This bill would additionally preclude membership on the commission by any person who, during the 2 years preceding appointment, received a substantial portion of his or her income from any person or corporation subject to commission regulation. The bill would prohibit commission members from being employed by a person or corporation subject to commission regulation, while a member of the commission or within 2 years thereafter. The bill would prohibit commission members from holding any other public office or position. The bill would require commission members to comply with provisions governing conflicts of interest of officers and employees appointed within the state civil service. The bill would prohibit members and employees of the commission from participating personally and substantially in matters in which the person knows that the person, his or her spouse or minor child, partner, any organization he or she serves or has served as an officer, director, trustee, partner, or employee has a direct or indirect financial interest or has had such an interest during the two years prior to his or her appointment as a member of the commission. The bill would

prohibit any person who is a partner, employer, or employee of a member or employee of the commission from acting as an attorney, agent, or employee for any person other than the state in connection with any matter in which the commission is a party or has a direct and substantial interest.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 303.5 is added to the Public Utilities
2 Code, to read:

3 303.5. (a) No person shall be a member of the commission
4 who, during the two years prior to appointment to the
5 commission, received any substantial portion of his or her
6 income directly or indirectly from any person or corporation
7 subject to regulation by the commission. No member of the
8 commission shall be employed by any person or corporation
9 subject to regulation by the commission during the term he or she
10 is a member of the commission, or within two years after he or
11 she ceases to be a member of the commission.

12 (b) The members of the commission shall not hold any other
13 elected or appointed public office or position.

14 (c) The members of the commission and all employees of the
15 commission shall comply with all applicable provisions of
16 Section 19990 of the Government Code.

17 (d) No person who is a member or employee of the
18 commission shall participate personally and substantially as a
19 member or employee of the commission, in any matter in which,
20 to his or her knowledge, he or she, his or her spouse, minor child,
21 or partner, or any organization in which he or she is serving, or
22 has served as officer, director, trustee, partner, or employee while
23 serving as a member or employee of the commission or within
24 two years prior to her or his appointment as a member of the
25 commission, has a direct or indirect financial interest.

26 (e) No person who is a partner, employer, or employee of a
27 member or employee of the commission shall act as an attorney,
28 agent, or employee for any person other than the state in
29 connection with any matter in which the commission is a party or
30 has a direct and substantial interest.

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